

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

BRUCE IBE, et al.,	§	
	§	
	§	Civil Action No. 3:11-CV-00248-M
	§	
Plaintiffs,	§	
v.	§	(Consolidated with 3:11-CV-345-M)
	§	
NATIONAL FOOTBALL LEAGUE	§	
Defendant.	§	

**NON-PARTY STEPHEN JONES' FIRST SUPPLEMENTAL
MOTION TO QUASH AND FOR PROTECTIVE ORDER AND BRIEF IN SUPPORT
[RELATED TO DOCKET NOS. 408 & 409]**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COMES NOW, Non-Party Stephen Jones ("Jones") and files this, his First Supplemental Motion to Quash and for Protective Order and Brief in Support (the "Motion"), and respectfully asks that this Court quash Plaintiffs' trial subpoena and grant him a protective order against same pursuant to Federal Rules of Civil Procedure 45(b) and 26(b)(2) & (c) and 37(a)(5).

INCORPORATION OF J. JONES' FIRST SUPPLEMENTAL MOTION TO QUASH

Non-Party Stephen Jones incorporates by reference the arguments and authorities contained in Non-Party Jerral "Jerry" Wayne Jones' First Supplemental Motion to Quash and For Protective Order and Brief in Support, which was filed contemporaneously herewith, as if the arguments contained therein were provided below.

TESTIMONY OF STEPHEN JONES IRRELEVANT TO THESE PROCEEDINGS

Furthermore, to this point, any testimony provided by Stephen Jones is wholly irrelevant to these proceedings. During the first two (2) days of trial, the only mentions of Stephen Jones,

by name, were by counsel of record during voir dire (asking the venire if they knew Stephen Jones) and during Plaintiffs' Counsel's opening statement. *See* Transcript of Jury Trial, Volume 1, Monday, March 2, 2015 at 85:4 and 99:15. The only other mentions of Stephen Jones at trial were fleeting mentions of his name by NFL Commissioner Roger Goodell during his video testimony. *See* Transcript of Jury Trial, Volume 1, Wednesday, March 4, 2015 at pgs. 175, 185 186, 187 and 188. But again, when Commission Goodell was asked the pointed question of whether Stephen Jones or anyone with the Dallas Cowboys shared responsibility for the seating issues, Goodell refused to place blame on Jones or the Dallas Cowboys, as follows:

"Here's my question: Do you believe that Stephen Jones and the Cowboys bear some responsibility for failing to have the seats installed in time for kickoff?
"ANSWER: I think I'm very clear on the fact that we're the ones who put this event on. Ultimately, it's our responsibility. We accept that responsibility.

See Transcript of Jury Trial, Volume 1, Wednesday, March 4, 2015 at 188:3-8.

Plaintiffs have no grounds on which to call Stephen Jones to testify, and Mr. Jones Motion to Quash and Motion for Protective Order should be granted.

CONCLUSION

WHEREFORE, PREMISES CONSIDERED, for the reasons set forth above, Stephen Jones respectfully requests that this Court to grant his Motion to Quash and for Protective Order regarding Plaintiffs' subpoena in this matter, award him his fees and costs relating to this motion, and grant such other and further relief as the court may deem just and proper.

DATED: March 4, 2015

Respectfully submitted,

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JONES and THE COWBOYS ENTITIES**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the Court on this 4th day of March, 2015, using the ECF system, and the Clerk of the Court has electronically served the Notice upon all parties registered to receive electronic notice in this case.

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